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TAGS: [EFIN](#) [ETTC](#) [KTFN](#) [PREL](#) [PTER](#) [XW](#) [UNSC](#)
SUBJECT: USUN INSTRUCTION: U.S. IMPLEMENTATION OF UNSC
SUDAN SANCTIONS

REF: A. SCA/1/09(19)
[1](#)B. UNSCR 1891 (2009)

[1](#)1. This is an action request. USUN is requested to submit the U.S. implementation report found in para 4 below to the UN Security Council Committee established pursuant to resolution 1591 (2005) concerning Sudan.

STRATEGIC OBJECTIVE

[1](#)2. The strategic objective is to report on U.S. implementation of the Sudan sanctions adopted by the Security Council. The UNSC unanimously adopted resolution 1891 on 13 October 2009, which renewed the mandate of the Panel of Experts for one year and added the following reporting request in paragraph 5:
Encourages all States, in particular those in the region, to report to the Committee on the actions they have taken to implement measures imposed by resolutions 1591 (2005) and 1556 (2004).

[1](#)3. UNSC resolution 1591 (2005) imposed a travel ban and asset freeze on those individuals designated by the Sudan Sanctions Committee as impeding the peace process, constituting a threat to stability in Darfur and the region, committing violations of international humanitarian or human rights law or other atrocities, violating the arms embargo imposed by UNSC resolution 1556 (2004), or being responsible for offensive military overflights. UNSC resolution 1556 (2004) imposed an arms embargo, which was expanded by resolution 1591 (2005) to apply to all entities and individuals operating in Darfur.

REPORT

[1](#)4. COVER NOTE: The Permanent Mission of the United States of America presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, and has the honor to enclose the United States' report on the implementation of the sanctions imposed by United Nations Security Council resolutions 1591 (2005) and 1556 (2004). END COVER NOTE.

United States' Report on the Implementation of Sanctions
Imposed by United Nations Security Council Resolutions 1591
(2005) and 1556 (2004)

- Travel Ban -
Under the applicable provisions of the Immigration and Nationality Act, the United States takes the necessary measures to prevent the entry into or transit through the United States' territories of individuals designated by the

Committee established pursuant to resolution 1591 (2005) concerning the Sudan (herein "the Committee"), provided that the individuals are not nationals of the United States. Travel exemptions will be granted if the Committee determines on a case by case basis that such travel is justified on the grounds of humanitarian need, including religious obligation, or if it will further the objectives for the creation of peace and stability in Sudan and the region, or if the United States is obliged to permit the travel due to the United Nations Headquarters Agreement.

- Asset Freeze -

The United States takes the necessary measures to freeze without delay the funds, other financial assets and economic resources which are within the jurisdiction of the United States, which are owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee. Additionally, the United States ensures that any funds, financial assets or economic resources are not made available to or for the benefit of designated individuals and entities by United States nationals or by any individuals or entities within the territory of the United States. The U.S. may authorize the release of frozen assets in certain compelling circumstances.

The United States implements the asset freeze pursuant to Presidential authorities under the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.) (NEA), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code.

- Arms Embargo -

The United States complies with the arms embargo on Darfur imposed by resolution 1556 (2004) and expanded by resolution 1591 (2005). The United States export controls are implemented through the Arms Export Control Act and the International Traffic in Arms Regulations. The U.S. munitions export control system is designed to deny adversaries and parties whose interests are inimical to those of the United States access to U.S.-origin defense equipment and technology. This function is administered by the Directorate of Defense Trade Controls, U.S. Department of State. The export control process is closely regulated and excludes the participation of embargoed and other ineligible parties in U.S. defense trade.

The United States takes the necessary measures to prevent the direct or indirect supply, sale or transfer of weapons and military equipment and the direct supply of technical assistance or training, financial and other assistance including investment, brokering or other financial services, related to military activities or to the supply, sale, transfer, manufacture, maintenance or use of weapons and military equipment to the individuals and entities operating in Darfur. The United States requires all U.S. persons that manufacture or export defense articles, furnish defense services, or U.S. and foreign persons engaged in arms brokering to register with the Department of State. The Department of State must approve a license application prior to the export of defense articles or defense services. A review of all parties to the proposed transactions, including end-users, is made against a "Watch List," which includes individuals and entities designated by the United Nations Sanctions Committees. Pursuant to the U.S. Arms Export Control Act, arms export control violations including provision of defense equipment and technology to ineligible persons and associate persons are subject to strict criminal and civil penalties. Criminal penalties may include a jail sentence of ten years and/or \$1 million for each violation. Possible civil penalties include debarment from participation in U.S. defense trade and monetary penalties up to \$500,000 per violation.

END REPORT.
CLINTON